



Pipe-lines Act 1962

1962 CHAPTER 58

Interpretation

65 Meaning of " pipe-line "

- (1) In this Act " pipe-line " (except where the context otherwise requires) means a pipe (together with any apparatus and works associated therewith), or system of pipes (together with any apparatus and works associated therewith), for the conveyance of any thing other than air, water, water vapour or steam, not being—
- (a) a drain or sewer ; or
 - (b) a pipe or system of pipes constituting or comprised in apparatus for heating or cooling or for domestic purposes; or
 - (c) a pipe or system of pipes on the site of any operations or works to which certain provisions of the Factories Act, 1961, apply by virtue of subsection (1) of section one hundred and twenty-seven (building operations and works of engineering construction) of that Act; or
 - (d) a pipe or system of pipes wholly situate within the boundaries of an agricultural unit and designed for use for purposes of agriculture ; or
 - (e) a pipe or system of pipes wholly situate in premises used for the purposes of education or research; or
 - (f) a pneumatic dispatch-tube.
- (2) For the purposes of the foregoing subsection, the following apparatus and works, and none other, shall be treated as being associated with a pipe, or system of pipes, namely.
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- (a) apparatus for inducing or facilitating the flow of any thing through the pipe or, as the case may be, through the system or any part thereof ;
 - (b) valves, valve chambers, manholes, inspection pits and similar works, being works annexed to, or incorporated in the course of, the pipe or system ;
 - (c) apparatus for supplying energy for the operation of any such apparatus as is mentioned in paragraph (a) of this subsection or of any such works as are mentioned in paragraph (b) thereof;

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- (d) apparatus for the transmission of information for the operation of the pipe or system ;
- (e) apparatus for affording cathodic protection to the pipe or system;
- (f) a structure for the exclusive support of a part of the line or system.

66 General interpretation provisions

(1) In this Act, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them respectively, that is to say:—

" agriculture " includes dairy farming, the production of any consumable produce which is grown for sale or for consumption or other use for the purposes of a trade or business or of any other undertaking (whether carried on for profit or not), and the use of land as grazing, meadow or pasture land or orchard or osier land or woodland or for market gardens or nursery grounds, and " agricultural " shall be construed accordingly;

" agricultural unit " means land which is occupied as a unit for agricultural purposes;

" appropriate Minister " means—

- (a) in relation to any railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking, the Minister of Transport,
- (b) in relation to any undertaking for the supply of electricity, gas or hydraulic power (other than the undertakings of the boards established by the Electricity (Scotland) Acts, 1943 to 1957), the Minister, and in relation to the undertakings of the said boards, the Secretary of State ;
- (c) in relation to any undertaking for the supply of water in England or Wales, the Minister of Housing and Local Government, and in relation to any such undertaking in Scotland, the Secretary of State ;

" carriageway " has the meaning assigned to it by subsection (1) of section two hundred and ninety-five of the Highways Act, 1959 ;

" compulsory purchase order " has the meaning assigned to it by subsection (1) of section eleven of this Act;

" compulsory rights order " has the meaning assigned to it by subsection (1) of section twelve of this Act;

" construction ", in relation to a pipe-line, includes placing, and " construct " and " constructed " shall, in relation to a pipe-line, be construed accordingly;

" cross-country pipe-line " means a pipe-line whose length exceeds, or is intended to exceed, ten miles;

" emergency works " means works whose execution at the time when they are executed is requisite in order to put an end to, or to prevent the arising of, circumstances then existing or imminent which are calculated to cause danger to persons or property, interruption of the conveyance by a pipe-line of any thing or a service afforded by undertakers (within the meaning of the Public Utilities Street Works Act, 1950), or substantial loss to the owner of a pipe-line or to such undertakers;

" in ", in a context referring to a pipe-line or a length thereof or works or operations in land or a street, includes a reference to a pipe-line, length, works or operations under, over, across, along or upon it;

" inspector " means an inspector appointed under this Act;

" land " includes land covered by water and in Scotland includes salmon fishings;

" local pipe-line " means a pipe-line other than a crosscountry one;

" local water authority " means a local water authority within the meaning of the Water (Scotland) Act, 1946 ;

" the Minister " means the Minister of Power ;

" notice " means a notice in writing ;

" owner "—

- (a) in relation to any land other than land in Scotland, means a person, other than a mortgagee not in possession, who is for the time being entitled to dispose of the fee simple of the land, whether in possession or in reversion, and includes also a person holding or entitled to the rents and profits of the land under a lease or agreement the unexpired term of which exceeds three years ;
- (b) in relation to land in Scotland, includes any person who, under the Lands Clauses Acts, would be enabled to sell and convey the land to the promoters of an undertaking and a tenant of the land under a lease the unexpired term of which exceeds three years;
- (c) in relation to a pipe-line, means the person in whom the pipe-line is vested ;
- (d) in relation to a structure, means a person who, in relation to land being the site of the structure, is an owner thereof by virtue of paragraph (a) or (b) of this definition;

" pipe-line construction authorisation " has the meaning assigned to it by subsection (1) of section one of this Act;

" pipe-line diversion authorisation " has the meaning assigned to it by paragraph (a) of subsection (1) of section three of this Act;

" pipe-line works " means works of any of the following kinds, that is to say.—

- (a) placing a pipe-line or a length of pipe-line; inspecting, maintaining, adjusting, repairing, altering or renewing a pipe-line or a length of pipe-line; changing the position of a pipe-line or a length of pipe-line or removing a pipe-line or a length of pipe-line;
- (b) breaking up or opening land for the purposes of works mentioned in the foregoing paragraph and tunnelling or boring for those purposes and other works requisite for or incidental to those purposes;

" prescribed " means prescribed by regulations made under this Act;

" railway undertakers " means any persons authorised by an enactment or provision of an order or scheme made under or confirmed by an Act to construct, work or carry on a railway ;

" river works consent " means a consent given under section thirty-one of the Land Drainage Act, 1961;

" statutory undertakers " means any person authorised by any Act (whether public general or local) or by any order or scheme made under or confirmed by an Act to construct, work or carry on a railway, light railway, tramway, road transport, water transport, canal, inland navigation, dock, harbour, pier or lighthouse undertaking or any undertaking for the supply of electricity, gas, hydraulic power or water ;

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" statutory water undertakers " has the same meaning as it has for the purposes of the provisions of the Water Act, 1945, other than Part II of that Act;

" street works consent " means a consent given under section fifteen of this Act.

- (2) For the purposes of this Act the length of a pipe-line shall be taken to be the total length of pipe comprised in it; but where, in a system of pipes, a number of adjacent parallel lengths of pipe serve the same purpose as would be served by a single pipe of a diameter greater than that of any of those lengths, that number shall be taken to constitute a single pipe.
- (3) For the purposes of this Act the execution of works in land for the purpose of determining whether or not it is suitable for the placing in it of a pipe-line and the carrying out of surveying operations for the purpose of settling the route of a proposed pipe-line shall be deemed not to constitute the execution of works for the construction of a pipe-line.
- (4) Any reference in this Act to any other enactment shall be construed as a reference to that enactment as amended by any other Act.